

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

JAMES CURTIS KERN,

Plaintiff,

v.

TAMERA LYNN SOLOMAN,

Defendant.

No. 2:24-CV-1040-WBS-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On November 18, 2024, the Magistrate Judge filed findings and recommendations herein which were served on the parties, and which contained notice that the parties may file objections within the time specified therein. No objections to the findings and recommendations have been filed.

The Court has reviewed the file and finds the findings and recommendations to be supported by the record and the Magistrate Judge's analysis.

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Accordingly, IT IS HEREBY ORDERED as follows:

1. The findings and recommendations filed November 18, 2024, ECF No. 17, are adopted in full.
2. This action shall proceed on Plaintiff's original complaint as to Plaintiff's Claim I against Defendant Soloman.
3. Claim II and Claim III are dismissed with prejudice for failure to state a claim upon which relief can be granted.
4. This matter is referred back to the assigned Magistrate Judge for further proceedings.

Dated: January 16, 2025



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE